

Scott E. Ortiz, W.S.B. # 5-2550
 WILLIAMS, PORTER, DAY & NEVILLE, P.C.
 159 No. Wolcott, Suite 400
 P.O. Box 10700
 Casper, Wyoming 82602
 Telephone: (307) 265-0700
 Facsimile: (307) 266-2306
 Email: sortiz@wpdn.net

Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF WYOMING**

CUSTODIA BANK, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Number: 22-cv-00125-SWS
)	
FEDERAL RESERVE BOARD OF)	
GOVERNORS and FEDERAL RESERVE)	
BANK OF KANSAS CITY,)	
)	
Defendants.)	

**PLAINTIFF CUSTODIA BANK, INC.’S
 UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES IN ITS OMNIBUS BRIEF
 FOR JUDGMENT AS A MATTER OF LAW ON ITS APA AND STATUTORY MANDAMUS CLAIMS**

Plaintiff Custodia Bank, Inc. (“Custodia”) respectfully submits this unopposed motion for leave to file its Omnibus Brief for Judgment as a Matter of Law on its APA and Statutory Mandamus Claims (“Omnibus Brief”) that is no longer than 55 pages in length. In support of its motion, Custodia states as follows:

1. On November 27, 2023, the parties filed a Joint Motion and Stipulation to Align and Consolidate APA and Summary Judgment Briefing (“Joint Stipulation”). (ECF No. 219.) Under the Joint Stipulation, the parties asked the court to amend the Second Amended Scheduling Order (ECF No. 211) “so that the appellate briefing dates align with the dispositive motion briefing

dates.” (ECF No. 219 ¶ 5.) The parties further stipulated that “[i]f the current scheduling order is so amended, the parties intend to move the court for a page extension on the combined briefing at a later date.” (*Id.* ¶ 5.)

2. Pursuant to Local Rule 7.1(b)(2)(B), Custodia’s motions for judgment as a matter of law on its claim under the administrative procedure act and statutory mandamus claims would each be limited to 25 pages.

3. In order to fully brief the Court on the relevant issues, Custodia requests permission to file a single Omnibus Brief addressing both case-dispositive motions that is no longer than 55 pages.

4. Counsel for Custodia has met and conferred with Defendants’ counsel regarding the requested page limits, and Defendants’ counsel has consented to the requested relief.

WHEREFORE, Custodia respectfully moves the Court for leave to file its Omnibus Brief of no more than 55 pages.

DATED this 19th day of December, 2023.

CUSTODIA BANK, INC., Plaintiff

By: /s/ Scott E. Ortiz
Scott E. Ortiz, W.S.B. # 5-2550
WILLIAMS, PORTER, DAY & NEVILLE, P.C.
159 No. Wolcott, Suite 400
P.O. Box 10700
Casper, Wyoming 82602
Telephone: (307) 265-0700
Facsimile: (307) 266-2306
Email: sortiz@wpdn.net

-and-

John K. Villa, *pro hac vice*
Ryan Scarborough, *pro hac vice*
Lauren Weinberger, *pro hac vice*
Ian Swenson, *pro hac vice*

Russell Mendelson, *pro hac vice*
WILLIAMS & CONNOLLY, LLP
680 Maine Avenue SW
Washington, DC 20024
Telephone: (202) 434-500
Emails: jvilla@wc.com
rscarborough@wc.com
lweinberger@wc.com
iswenson@wc.com
rmendelson@wc.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served this day of December 19, 2023, addressed to:

Mark Van Der Weide
 Richard M. Ashton
 Joshua P. Chadwick
 Yvonne F. Mizusawa
 Yonatan Gelblum
 Katherine Pomeroy
 BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
 20th Street and Constitutional Avenue, N.W.
 Washington, DC 20551

- ☐ U.S. Mail (Postage Prepaid)
☐ Email
☐ Overnight Delivery
☐ Hand Delivery
☒ CM/ECF System

Billie L.M. Addleman
 John P. Fritz
 Erin E. Berry
 HIRST APPLGATE, LLP
 P.O. Box 1083
 Cheyenne, Wyoming 82003

- ☐ U.S. Mail (Postage Prepaid)
☐ Email
☐ Overnight Delivery
☐ Hand Delivery
☒ CM/ECF System

Andrew Michaelson
 Laura Harris
 KING & SPALDING, LLC
 1185 Avenue of the Americas, 34th Floor
 New York, New York 10036

- ☐ U.S. Mail (Postage Prepaid)
☐ Email
☐ Overnight Delivery
☐ Hand Delivery
☒ CM/ECF System

Jeffrey S. Bucholtz
 Joshua N. Mitchell
 Christine M. Carletta
 KING & SPALDING, LLP
 1700 Pennsylvania Ave., N.W.
 Washington, D.C. 20006

- ☐ U.S. Mail (Postage Prepaid)
☐ Email
☐ Overnight Delivery
☐ Hand Delivery
☒ CM/ECF System

Angela Tarasi
 Jared M. Lax
 KING & SPALDING, LLP
 1401 Lawrence Street
 Suite 1900
 Denver, Colorado 80202

- ☐ U.S. Mail (Postage Prepaid)
☐ Email
☐ Overnight Delivery
☐ Hand Delivery
☒ CM/ECF System

/s/ Scott E. Ortiz
 Scott E. Ortiz